

## **EXHIBIT 5**

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July 3, 2013

Hon. Katherine Forrest  
U.S. District Court, S.D.N.Y.  
500 Pearl St.  
New York, NY 10007-1312

Re: Anastasia International, Inc. v. EM Online Pty Ltd  
d/b/a Elena's Models 13-CV-2919 (KBF)

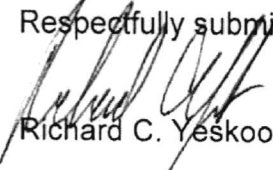
Dear Judge Forrest:

We are attorneys for Plaintiff Anastasia International, Inc. in the above action. We are writing to inform you that we have agreed to vacate the default in this matter as to defendant EM Online Pty Ltd ("Elena's Models") and to request that you schedule a preliminary conference in this matter.

We were contacted by attorneys for defendant Elena's Models last week. They informed us that the officers of defendant Elena's Models were on a cruise ship when the papers were served in Australia and have provided tickets and passport stamps to verify this statement. Based on this representation the plaintiff has agreed to vacate the default. Please let us know if this letter is sufficient or you would prefer that the defendant make a formal motion to vacate.

We also request that if you approve the request to vacate the default you schedule a preliminary conference.

Respectfully submitted,



Richard C. Yeskoo

cc: Damon W. D. Wright